

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

SAIM SARWAR, Individually)	
)	
Plaintiff,)	
)	
v.)	Civil No.: 2:20-cv-221
)	
FAIRBANKS INN, LLC,)	
)	
Defendant)	
)	

**DEFENDANT'S MOTION TO DISMISS
AND FOR IMPOSITION OF COSTS AND FEES**

Defendant Fairbanks Inn, LLC, by and through its counsel, Phillips, Dunn, Shriver & Carroll, P.C., pursuant to Fed. R. Civ. Proc. 12(b)(1), hereby moves to dismiss Plaintiff Saim Sarwar's Complaint on the grounds that the Court lacks subject matter jurisdiction over the claims asserted therein and in support thereof files its separate Memorandum in Support of Motion to Dismiss and for Imposition of Costs and Fees.

WHEREFORE, Defendant Fairbanks Inn, LLC requests that this Court issue an Order granting Defendant's Motion to Dismiss Plaintiff's Complaint with prejudice, entering judgment in favor of Defendant for its costs and its reasonable attorney's fees, and providing such other relief as the Court deems appropriate.

Dated this 27th day of January, 2021.

FAIRBANKS INN, LLC

/s/ David N. Dunn
David N. Dunn, Esq.
Phillips, Dunn, Shriver & Carroll, P.C.
147 Western Ave
Brattleboro, VT 05301
(802) 257-7244 x112
ddunn@pdsclaw.com